

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Alan MacMillan (arrives 8:15 pm), Rob Claypool, MaryAnn Lash, David McKinnon, Mel Michaels/Associate Member, Andrea Nichols/Secretary, Geralyn Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five-member volunteer board. Four voting members are present.

Absent: Robert Claypool

Citizen Inquiries:

Bill Aspesi, DPW – tells of flooding and road damage on Penzance Road (near #49); flooding occurs here yearly, but is longer lasting and more damaging this year; asks if he needs permit to remove water by installing drain pipe across street; explains that similar pipe with headwalls exist between #51 and #53. RCC suggests Emergency Certificate followed by NOI filing with engineered drawing. *Eric Hutchins, 45 Poole's Lane* – questions need for Emergency Certificate; wetland could be destroyed. Chairman Neal moves to issue Emergency Certificate to remedy flooding on Penzance Road; Mrs. Lash seconds. Vote 3:0.

Stewardship

Kiosk documents & CATS trails – Agent Falco shows plans and other documents created by Cape Ann Trails Stewards (CATS) for kiosks (at Pine Pit and Waring Field). Agent Falco also tells of Trails Compilation Plan for Rockport put together by CATS and asks for comments on trails not shown; explains that Plan is not for public use because it includes private trails; will distribute to Open Space and Rights of Way Committees for their comments.

Minutes.

03/02/16: Mr. McKinnon moves to approve minutes as amended; Chairman Neal seconds. Vote 3:0.

03/16/16: Mr. McKinnon moves to approve minutes as written; Mrs. Lash seconds. Vote 3:0.

New Hearings

RDA 16-02, Keolis, Railroad Right-of-Way (Map 11/Lot 21E). *Delineate wetlands along railroad track for vegetation management.* (Applicant requested hearing be postponed until after site visit with Agent-tbd). Applicant is not present. Hearing is continued until May 18, 2016.

The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved

RDA 16-03, Kevin Kane, 15 Atlantic Avenue (Map 36/Lot 12). *Construct deck within 100' of coastal bank.* Isaac Rowe (Mill River Consulting) is present for Applicant and makes presentation; 3 sonotubes to be installed below concrete patio; unknown what is under patio. RCC concerns include: how deep footings will be; negative impacts to coastal bank; and neighbors' knowledge of project. Mr. Rowe says structural engineer is reviewing project for Zoning Board review. *Michael D'Annolfo (contractor)* – invites Conservation Agent to preview holes for sonotubes once dug. *Eric Hutchins, 45 Poole's Lane* – asks what resource area structural engineer needs to review. Chairman Neal moves to close hearing; Mr. McKinnon

seconds. Vote 3:0. Chairman Neal moves to grant negative determination, category number 3 with conditions; Mr. McKinnon seconds. Vote 3:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved**

NOI 62-0724, Rockport DPW, Mill Pond (Map 18/Lot 319). *Remove cattails & dredge 2,650 cy of material from Mill Pond.* Present for Applicant are Joe Parisi (DPW), Jason Williams & Matthew Sanford (Milone & MacBroom, Inc.); Mr. Williams begins by explaining project as dredging of Mill Pond (removing sediment and cattails; pond surface area to increase to 1.0 acre; depth of pond to increase by 6 feet with steeper side slopes; mitigation includes plant removal and revegetating banks; other permits needed include 401 water quality, Chapter 91 dredging permit and Army Corps permit. Mr. Sanford reviews recent history of site (2005 to present); discusses construction sequence: step 1 = wildlife removal (fish, eels, frogs, snakes, turtles, etc.) to Loop Pond ~3 weeks prior to pond drawdown; step 2 = install erosion controls and pond drawdown; (3 pumps: pond intake, bypass pond to Millbrook, sump in pond bottom for groundwater; step 3 = conventional excavation (swamp mats placed for vehicular access to pond, cattails removed and slope increased to 33%, dredge sediments dewatered by pressure from piling it in pond center, excavated sediments then trucked to offsite landfill); step 4 = mitigation and reconstruction of pond edge including landscaping and stone bank repair. RCC concerns include:

- how long for pond to refill (estimated at 1-2 weeks);
- transfer of Mill Pond wildlife to Loop Pond and possible overload of habitat there; asks if wildlife will be expected to migrate back to Mill Pond (especially turtles) or will wildlife be returned (no wildlife study was done on Loop Pond and no plan for returning wildlife);
- why was project not filed as Ecological Restoration Limited Project (ERLP) as required by MEPA (ENF was for entire project and this part was reduced in scope with less than 5,000 square feet of BVW impacted, MMI felt pond dredging would not meet ERLP status);
- requests contingency plan for protecting sewer line in pond (contractors will be required to delineate, flag and protect sewer pipe; DPW also explains that sewer pipe is lined clay pipe);
- asks how project will prevent sediments from filling in pond (Mr. Parisi states DPW is addressing drainage/sediment control in area including train station and Railroad Avenue; DPW has sharply reduced use of sand on roadways in winter);
- asks to discuss edge of pond restoration;
- asks how contamination from sediments will be kept out of water;
- requests RCC get copy of presentation made at meeting; and
- requests site visit.

Marty Ross, 21 King Sreet - is concerned with plantings on pond edges; feels that sediment source is from developed areas; asks about controlling private parking lot catch basins. *Toby Arsenian, 95 Granite Streets*: is concerned with sediments filling pond again and deteriorating side slopes; asks how stones will be secured on pond bank; asks if re-vegetation plants are better than those removed; why do you need Ch. 91 license (it is Ch. 91 dredging permit); asks if footings for future boardwalk to be installed (No); says cost for project is more than other town projects.

Laura Hallowell, 37 High Street - asks how often storm drains are cleaned. Site visit is scheduled for April 16, 2016 at 7:45 am. With permission from the Applicant, hearing is continued until April 20, 2016 pending site visit and more information. Hearing is continued. **The digital voice**

recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.

Continued Hearings

NOI 62-0725, Jeff & Erin Shelton, 25 Frank Street (Map 24/Lot 4E). *Repair walkway and landscape within 100' of a stream and within Riverfront Area.* RCC conducted a site visit and applicant is not present. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Review Orders of Condition

NOI 62-0723, Joanne Papa, 4 Gull Cove Lane (Map 17/Lot 34). Mr. MacMillan moves to issue OC as amended; Mrs. Lash seconds. Vote 4:0.

Other Business

- Invasive Species Removal Annual Report – Rockport Garden Club (RGC) – Laura Hollowell and Nan Blue are present; Ms. Hollowell reports on last year's knotweed removal in town; says RGC will continue to pull invasives and plant native species. Specific areas reported: Headlands (removed privet and planted new natives), Norwood Avenue Extension (grass has replaced knotweed; neighbor helps keep knotweed down), Millbrook Meadow (invasives have decreased; shows BEFORE & AFTER photos; plans to plant natives in open areas), Mill Pond knotweed forest is basically gone. RCC makes suggestions. Ms. Hollowell request \$300 from RCC to help with this year's removal. Chairman Neal moves to support RCG with \$300 reimbursement; McKinnon seconds. Vote 4:0.
- **Request for Certificate of Compliance, NOI 62-0712, Joseph Mueller, 52 Marmion Way (Map 10/Lot 23).** Chairman Neal moves to issue CoC; Mr. MacMillan seconds. Vote 4:0.
- Earth Day – clearing Pine Pit. Sandpiper property needs soil analyzed; should check to see if water is available onsite; should plan to seed property in fall.
- Agent on Vacation April 25-29, 2016
- New Business/Announcements – Chairman Neal moves to add Extension and letter to agenda; Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. McKinnon, Mrs. Lash, Chairman Neal.
 - **Request for Extension, NOI 62-0684, Sally Levesque.** Chairman Neal moves to extend OC for 1 year; Mr. MacMillan seconds. Vote 4:0.
 - Request for letter from Harborlight Community Partners – Agent Falco received request from North Shore HOME Consortium regarding 5 Granite Street. Chairman. Neal moves to approve letter; Mr. McKinnon seconds. Vote 4:0.

Chairman Neal moves to adjourn meeting; Mr. McKinnon seconds. Vote 4:0.

10:35 PM

RCC ► Meeting adjourns 10:35 PM ◄ RCC